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13 G4 MEDIA, LLC

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 G4 MEDIA, LLC, a Delaware limited liability  
17 company,

18 v. Plaintiff,

19 XPLAY LINKS, a business of unknown origin;  
20 ALEXANDRO TURCIOS, an individual,

21 Defendants.

22 Case No. 2:11-cv-685

23 **TEMPORARY RESTRAINING ORDER  
AND ORDER SETTING HEARING ON  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

24 **UPON CONSIDERATION** of the motion filed by Plaintiff for a temporary restraining  
25 order to place the <XPlayLinks.com> domain name on hold, the supporting memorandum of  
points and authorities, the supporting declaration and evidence, the record in this case, and for  
other good cause shown;

26 **THE COURT HEREBY FINDS THAT:**

27 1. Plaintiff will suffer irreparable injury if the Court does not require GoDaddy.com,  
28 Inc., the domain name registrar, to place the infringing <XPlayLinks.com> domain name on hold  
and lock and deposit it with the Court, pending litigation of this matter;

29 2. Plaintiff is likely to succeed on the merits of its claim for cybersquatting under the  
30 Anti-cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d) because Plaintiff has  
31 demonstrated that Defendants registered the <XPlayLinks.com> domain name with a bad faith

1 intent to profit from the X-PLAY Mark (as defined in the Complaint), which was distinctive  
 2 and/or famous at the time Defendants registered the <XPlayLinks.com> domain name;

3       3.       The balance of hardships tips in favor of Plaintiff because issuance of the  
 4 temporary restraining order would merely place the infringing <XPlayLinks.com> domain name  
 5 on hold and lock pending trial, and failure to issue the restraining order would cause Plaintiff to  
 6 suffer and incur additional expense in having to file additional lawsuit(s) if the domain name were  
 7 to be transferred to other registrants during the pendency of this action;

8       **THEREFORE, IT IS HEREBY ORDERED THAT**, pending a trial on the merits:

9       A.       The <XPlayLinks.com> domain name shall be immediately placed on hold and  
 10 lock by GoDaddy.com, Inc., which will deposit the domain name into the registry of the Court.

11       B.       GoDaddy.com shall disable the current domain name server information.

12       C.       A nominal bond of \$100 shall be required because the evidence indicates that  
 13 Defendants will only suffer, if at all, minimal damage by the issuance of this temporary  
 14 restraining order and injunction.

15       D.       Plaintiff may, in addition to the requirements of service identified in Federal Rules  
 16 of Civil Procedure 4 and 5, serve the Summons, Complaint, motion for temporary restraining  
 17 order and preliminary injunction, all supporting documentation, this Order, and all other papers  
 18 and pleadings upon Defendants by e-mail transmission.

19       E.       The parties shall appear for hearing and oral argument on Plaintiff's motion for a  
 20 preliminary injunction on Thursday, May 12, 2011, at the hour of 2:30 p.m. in Courtroom 7C  
 21 at the Lloyd D. George Federal Courthouse, 333 South Las Vegas Boulevard, Las Vegas, Nevada;

22       F.       Defendants shall file and serve their opposition to Plaintiff's motion for  
 23 preliminary injunction, if any, no later than Tuesday, May 10, 2011; ~~and Plaintiff shall file and~~  
 24 ~~serve its reply brief no later than \_\_\_\_\_, 2011.~~

25       ENTERED: this 2nd day of May, 2011 at 12:20 p.m.

26         
 27       UNITED STATES DISTRICT JUDGE  
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